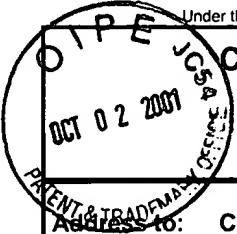


10-04-01

CPA/2463/17  
PTO/SB/29 (10-00)  
2700

Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
[ ] DUPLICATE

Address to: **Commissioner for Patents  
Box CPA  
Washington, D. C. 20231-0001**

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Attorney Docket No. of Prior Application: 4704.P001  
First Named Inventor: Faber  
Examiner Name: Susanna Meinecke-Diaz  
Group Art Unit 2163  
Express Mail Label No. EL 617209837 US

This is a request for a ☒ continuation or ☐ divisional under 37 CFR 1.53(d)  
(continuation prosecution application (CPA)) of prior application No. 09/414,710 filed on October 8, 1999  
entitled SYSTEM FOR PROVIDING SERVICES IN REAL-TIME OVER THE INTERNET.

If the Patent and Trademark Office determines that this request under 37 CFR 1.53(d) is improper, the Office is requested to treat this CPA as a request for continued examination of the above identified application under 37 CFR 1.114.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application practice," Final rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).  
☐ a. **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_  
☐ b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed: 10/05/2001 BMSUYEH1 00000120 09414710  

a. <input type="checkbox"/> PTO - 1449	01 FC:131	740.00 OP
b. <input type="checkbox"/> Copies of IDS Citations	02 FC:103	550.00 OP
	03 FC:102	336.00 OP

**CLAIMS**

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 CFR 1.16(c) or (j))	51 - 20* =	31	X \$ 18.00 =	\$ 558.00
Independent Claims (37 CFR 1.16(b) or (i))	7 - 3** =	4	X \$ 84.00 =	\$ 336.00
Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	\$ _____
			BASIC FEE (37 CFR 1.16(a))	\$ 740.00
Total of above Calculations				= \$ 1634.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				\$ _____
TOTAL =				\$ 1634.00

\* Reissue claims in excess of 20 and over original patent.

\*\* Reissue independent claims over original patent.

6. \_\_\_\_\_ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. X The Commissioner is hereby authorized to credit overpayments or charge deficient fees to Deposit Account No. 2-2666.
8. X A check in the amount of \$1,634.00 and a check for \$400.00 is enclosed.
9. \_\_\_\_\_ Payment by credit card. Form PTO-2038 is attached.
10. \_\_\_\_\_ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. \_\_\_\_\_ New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. \_\_\_\_\_ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)  
b. X Return Receipt Postcard (Should be specially itemized, See MPEP 503)
13. \_\_\_\_\_ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. (Reminder: First investigate foreign filing question).
14. X Other: Fee Transmittal (2 pages + duplicate), Petition for Extension of Time (1 page + duplicate)

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**

\_\_\_\_\_ Customer Number or Bar Code Label 008791  
OR (Insert Customer No. or Attach Bar Code Label here)

New Correspondence Address Below

NAME John P. Ward

Blakely Sokoloff Taylor Zafman LLP

ADDRESS 12400 Wilshire Boulevard, Seventh Floor

CITY Los Angeles

STATE CA

ZIP CODE 90025-1026

COUNTRY US

TELEPHONE (408) 720-8300 x237

FAX (310) 820-5988

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME John P. Ward

SIGNATURE 

REGISTRATION NO. 40,216

DATE: October 2, 2001

PTO/SB/35(11-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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OCT 02 2001

## FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) 2,034.00

Complete if known:

Application No. 09/414,710Filing Date 10/8/99 (parent) 10/2/01 (herewith)First Named Inventor FaberGroup Art Unit 2163Examiner Name Susanna Meinecke-DiazAttorney Docket No. 4704.P001RECEIVED  
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Technology Center 2100

## METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge fee deficiencies and credit any over payments to:

Deposit Account Number 2-2666

Deposit Account Name \_\_\_\_\_

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:
- ☒
- Checks in the amounts of \$1,634.00 and \$400.00.
- 
- ☐
- Credit Card
- 
- ☐
- Money Order
- 
- ☐
- Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	355	Utility application filing fee	<u>740.00</u>
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____

SUBTOTAL (1) \$ 740.00

## 2. EXTRA CLAIM FEES

			Extra Claims	Fee from below	Fee Paid
Total Claims	<u>51</u>	- 20** =	<u>31</u>	X 18.00	= 558.00
Independent Claims	<u>7</u>	- 3** =	<u>4</u>	X 84.00	= 336.00
Multiple Dependent					= <u>0</u>

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 740.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	195	Extension for reply within second month	400.00
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i)	
091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 400.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

**Express Mail Label No. EL 617209837US**

Typed or Printed Name: John P. Ward

Signature:  Date: 10/2/01

Reg. Number: 40,216 Telephone Number: (408) 720-8300 x237

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### EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL617209837US

Date of Deposit: October 2, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231-0001

Box CPA,

Judy L. Steinkraus

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

(Date signed) 10/2/01

Serial/Patent No.: <u>09/414,710</u>	Filing/Issue Date: <u>10/8/99 (parent)</u>
Client: <u>Keen.Com</u>	
Title: <u>SYSTEM FOR PROVIDING SERVICES IN REAL-TIME OVER THE INTERNET</u>	
BSTZ File No.: <u>4704.P001</u>	Atty/Secty Initials: <u>JPW:jxs</u>
Date Mailed: <u>October 2, 2001</u>	Docket Due Date: <u>October 2, 2001</u>
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:	
<input type="checkbox"/> Amendment/Response (____ pgs.)	<input checked="" type="checkbox"/> Express Mail No.: <u>EL617209837US</u> <input checked="" type="checkbox"/> Check No. <u>45699</u>
<input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	<input type="checkbox"/> _____ Month(s) Extension of Time Amt: <u>\$1,634.00</u>
<input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)	<input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.) <input checked="" type="checkbox"/> Check No. <u>45705</u>
<input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)	<input type="checkbox"/> Issue Fee Transmittal Amt: <u>\$400.00</u>
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)	<input checked="" type="checkbox"/> Petition for Extension of Time (1 page)+ duplicate
<input checked="" type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (2 pgs.)+ duplicate	<input type="checkbox"/> Petition for _____
<input type="checkbox"/> Application - Design (____ pgs.)	<input type="checkbox"/> Postcard
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)
<input type="checkbox"/> Application - Provisional (____ pgs.)	<input type="checkbox"/> Preliminary Amendment (____ pgs.)
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)
<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Response to Notice of Missing Parts
<input type="checkbox"/> Declaration & POA (____ pgs.)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business
<input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)	<input type="checkbox"/> Transmittal Letter, in duplicate
<input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures	<input checked="" type="checkbox"/> Fee Transmittal, in duplicate (2 pages)
<input type="checkbox"/> Other: _____	